

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application; please amend the claims as follows:

1. (Currently Amended) ~~A~~Thermoplastic elastomer composition comprising at least one thermoplastic material (A) and at least one microgel (B) wherein said microgel (B) comprises primary particles and ~~which~~ is based on homopolymers or random copolymers and is not crosslinked by high-energy radiation.
2. (Currently Amended) ~~The~~Thermoplastic elastomer composition according to claim 1, ~~characterized in that~~ wherein the primary particles of the microgel (B) have an approximately spherical geometry.
3. (Currently Amended) ~~The~~Thermoplastic elastomer composition according to claim 1 ~~or 2, characterized in that~~ wherein a deviation of the diameters of an individual primary particles of the microgel (B) is less than 250%, said deviation is defined as

$$[(d1 - d2) / d2] \times 100 \%,$$

wherein d1 and d2 are any two desired diameters of any desired section of the primary particle and d1 is > d2, ~~is less than 250 %.~~

4. (Currently Amended) ~~The~~Thermoplastic elastomer composition according to claim 3, wherein ~~the~~ said deviation is less than 50 %.
5. (Currently Amended) ~~The~~Thermoplastic elastomer composition according to ~~one of claims 1 to 3, characterized in that~~ wherein the primary particles ~~of the microgel (B)~~ have an average particle size of 5 to 500 nm.

6. (Currently Amended) ~~The T~~thermoplastic elastomer composition according to ~~one of claims 1 to 5, characterized in that~~wherein the primary particles ~~of the microgel (B)~~ have an average particle size of less than 99 nm.
7. (Currently Amended) ~~The T~~thermoplastic elastomer composition according to ~~one of claims 1 to 6, characterized in that~~wherein the microgels (B) ~~have~~has a contents which ~~are~~is insoluble in toluene at 23 °C of at least about 70 wt.%.
8. (Currently Amended) ~~The T~~thermoplastic elastomer composition according to ~~one of claims 1 to 7, characterized in that~~wherein the microgels (B) ~~have~~has a swelling index in toluene at 23 °C of less than about 80.
9. (Currently Amended) ~~The T~~thermoplastic elastomer composition according to ~~one of claims 1 to 8, characterized in that~~wherein the microgels (B) ~~have~~has a glass transition temperatures of -100 °C to +50 °C.
10. (Currently Amended) ~~The T~~thermoplastic elastomer composition according to ~~one of claims 1 to 9, characterized in that~~wherein the microgels (B) ~~have~~has a width of the glass transition range of greater than about 5 °C.
11. (Currently Amended) ~~The T~~thermoplastic elastomer composition according to ~~one of claims 1 to 10, characterized in that~~wherein the microgels (B) ~~are~~is obtainable by emulsion polymerization.
12. (Currently Amended) ~~The T~~thermoplastic elastomer composition according to ~~one of claims 1 to 11, characterized in that~~wherein the thermoplastic materials (A) ~~have~~has a Vicat softening temperature of at least 50 °C.
13. (Currently Amended) ~~The T~~thermoplastic elastomer composition according to ~~one of claims 1 to 12, characterized in that~~wherein the thermoplastic material (A)

is selected from the group consisting of ~~chosen from~~ thermoplastic polymers (A1) and thermoplastic elastomers ~~(A2)~~.

14. (Currently Amended) The T~~T~~ thermoplastic elastomer composition according to ~~one of claims 1 to 13, characterized in that~~ wherein a the difference in glass transition temperature between the thermoplastic material (A) and the microgel (B) is between 0 and 250 °C.
15. (Currently Amended) The T~~T~~ thermoplastic elastomer composition according to ~~one of claims 1 to 14, characterized in that~~ wherein the weight ratio of thermoplastic material (A) ~~to~~ microgel (B) is from 1 : 99 to 99 : 1.
16. (Currently Amended) The T~~T~~ thermoplastic elastomer composition according to ~~one of claims 1 to 15, characterized in that~~ wherein the weight ratio of thermoplastic material (A) ~~to~~ microgel (B) is from 10 : 90 to 90 : 10, ~~particularly preferably 20 : 80 to 80 : 20.~~
17. (Currently Amended) The T~~T~~ thermoplastic elastomer composition according to ~~one of claims 1 to 16, characterized in that it additionally comprises~~ further comprising at least one conventional plastics additive.
18. (Currently Amended) The T~~T~~ thermoplastic elastomer composition according to ~~one of claims 1 to 17, characterized in that it is obtainable~~ obtained by mixing at the least one thermoplastic material (A) and the at least one microgel (B) ~~which is based on homopolymers or random copolymers and is not crosslinked by high energy radiation.~~
19. (Currently Amended) The T~~T~~ thermoplastic elastomer composition according to ~~one of claims 1 to 18, characterized in that~~ wherein the microgel (B) has comprises functional groups.

20. (Cancelled)
21. (Currently Amended) A P~~process~~ for the preparation of a thermoplastic elastomer compositions ~~according to one of claims 1 to 19 by comprising:~~
mixing at least one thermoplastic material (A) ~~and with~~ at least one microgel (B), wherein said microgel (B) is based on homopolymers or random copolymers and is not crosslinked by high-energy radiation.
22. (Currently Amended) The P~~process~~ for the preparation of thermoplastic elastomer compositions according to claim 21, ~~characterized in that~~wherein the preparation of the microgel (B) is prepared is carried out before the said mixing with the thermoplastic material (A).
23. (Currently Amended) A T~~thermoplastic elastomer compositions obtainable~~ obtained by the process according to claim 21 or 22.
24. (Currently Amended) A process ~~Use of the thermoplastic elastomer compositions according to one of claims 1 to 19 as a masterbatch for incorporation into further thermoplastic materials of the thermoplastic elastomer composition according to claim 1, comprising:~~
adding the thermoplastic elastomer composition according to claim 1 as a masterbatch to the further thermoplastic materials.
25. (Currently Amended) A process ~~Use of the thermoplastic elastomer compositions according to one of claims 1 to 19 for the production of thermoplastically processable shaped articles, comprising:~~
providing the thermoplastic elastomer composition according to claim 1 for shaping.
26. (Currently Amended) Shaped articles ~~obtainable~~ obtained by shaping the thermoplastic elastomer compositions according to ~~one of claims 1 to 19.~~

27. (NEW) The thermoplastic elastomer composition according to claim 1, wherein the weight ratio of thermoplastic material (A) to microgel (B) is from 20 : 80 to 80 : 20.